

Hawaiian Islands

COMMERCE

Articles of arrangement signed at Honolulu December 23, 1826

Entered into force December 23, 1826

*Apparently superseded in effect by treaty of December 20, 1849*¹

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Articles of arrangement made and concluded at Oahu between Thomas ap Catesby Jones appointed by the United States, of the one part, and Kauikeaouli King of the Sandwich Islands, and his Guardians, on the other part.

ART: 1ST

The peace and friendship subsisting between the United States, and their Majesties, the Queen Regent, and Kauikeaouli, King of the Sandwich Islands, and their subjects and people, are hereby confirmed, and declared to be perpetual.

ART: 2ND

The ships and vessels of the United States (as well as their Consuls and all other citizens within the territorial jurisdiction of the Sandwich Islands, together with all their property), shall be inviolably protected against *all* Enemies of the United States in time of war.

ART: 3RD

The contracting parties being desirous to avail themselves of the bounties of Divine Providence, by promoting the commercial intercourse and friendship subsisting between the respective nations, for the better security of these desirable objects, Their Majesties bind themselves to receive into their Ports and Harbours all ships and vessels of the United States; and to protect, to the uttermost of their capacity, all such ships and vessels, their cargoes, officers and crews, so long as they shall behave themselves peacefully, and not infringe

¹ *Post*, p. 864.

the established laws of the land, the citizens of the United States being permitted to trade freely with the people of the Sandwich Islands.

ART: 4TH

Their Majesties do further agree to extend the fullest protection, within their control, to all ships and vessels of the United States which may be wrecked on their shores; and to render every assistance in their power to save the wreck and her apparel and cargo; and as a reward for the assistance and protection which the people of the Sandwich Islands shall afford to all such distressed vessels of the United States, they shall be entitled to a salvage, or a portion of the property so saved; but such salvage shall, in no case, exceed one third of the value saved; which valuation is to be fixed by a commission of disinterested persons who shall be chosen equally by the Parties.

ART: 5TH

Citizens of the United States, whether resident or transient, engaged in commerce, or trading to the Sandwich Islands, shall be inviolably protected in their lawful pursuits; and shall be allowed to sue for, and recover, by judgment, all claims against the subjects of His Majesty The King, according to strict principles of equity, and the acknowledged practice of civilized nations.

ART: 6TH

Their Majesties do further agree and bind themselves to discountenance and use all practicable means to prevent desertion from all American ships which visit the Sandwich Islands; and to that end it shall be made the duty of all Governors, Magistrates, Chiefs of Districts, and all others in authority, to apprehend all deserters; and to deliver them over to the master of the vessel from which they have deserted; and for the apprehension of every such deserter, who shall be delivered over as aforesaid, the master, owner, or agent, shall pay to the person or persons apprehending such deserter, the sum of six Dollars, if taken on the side of the Island near which the vessel is anchored; but if taken on the opposite side of the Island, the sum shall be twelve Dollars; and if taken on any other Island, the reward shall be twenty four Dollars, and shall be a just charge against the wages of every such deserter.

ART: 7TH

No tonnage dues or impost shall be exacted of any Citizen of the United States which is not paid by the Citizens or subjects of the nation most favoured in commerce with the Sandwich Islands; and the citizens or subjects of the Sandwich Islands shall be allowed to trade with the United States, and her territories, upon principles of equal advantage with the most favoured nation.

Done in council at Honolulu, Island of Woahoo, this 23rd day of December in the year of our Lord 1826.

THOS. AP CATESBY JONES	[SEAL]
ELISABETA KAAHUMANU	[SEAL]
KARAIMOKU	[SEAL]
POKI	[SEAL]
HOWAPILI	[SEAL]
LIDIA NAMAHANA	[SEAL]